

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FRANK FAHY,

No. C-09-1420 MMC

Plaintiff,

**ORDER STRIKING PLAINTIFF'S APRIL
27, 2010 AND APRIL 29, 2010 FILINGS**

v.

ORPHEOS TARBOX, et al.,

Defendants

By order filed February 18, 2010, the Court deferred ruling on plaintiff Frank Fahy's "Notice of Motion and Motion for Order Vacating Settlement With Defendant Alec Steiner," and stated therein that following the lifting of the stay imposed by the Court's February 17, 2010 order, the Court, if necessary, would set a further briefing schedule and hearing on said motion.


The stay of proceedings was lifted on April 15, 2010. Thereafter, plaintiff, without leave of court, filed (1) on April 27, 2010, a document titled "Renewed Motion of the Plaintiff for an Order Vacating Settlement with Defendant Alec Steiner," and (2) on April 29, 2010, a document titled "Notice of Renewal of Motion and Motion for Order Vacating Settlement with Defendant Alec Steiner," along with a "Declaration of Frank Fahy" in support thereof. By such filings, plaintiff seeks, in essence, to supplement with additional arguments his previously filed motion to vacate the settlement.

1 The Court has not set a further briefing schedule on plaintiff's motion. Accordingly,
2 plaintiff's filings of April 27, 2010 and April 29, 2010 are hereby STRICKEN, and no
3 defendant need file a response thereto.

4 Any need for further briefing on plaintiff's motion to vacate may be raised by the
5 parties at the Case Management Conference scheduled for May 28, 2010. In the interim,
6 no party shall file any further documents in support of or in opposition to such motion.

7 **IT IS SO ORDERED.**

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9 Dated: May 4, 2010


MAXINE M. CHESNEY
United States District Judge